

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANKUR AGARWAL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 23-2479 (SDW)

ORDER

Petitioner, Ankur Agarwal, submitted an amended motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 ("the motion") (ECF No.), In re Criminal Case File 19-cr-770 (SDW), and the Court having screened the amended § 2255 motion for summary dismissal pursuant to Rule 4 of the Rules Governing Section 2255 Cases in the United States District Court, and concluding that it does not “plainly appear[] from the motion, any attached exhibits and the record of prior proceedings that the moving party is not entitled to relief . . .”

IT IS on this 20th day of June 2023,

ORDERED that the Clerk of the Court shall re-open this matter; and it is further

ORDERED that Respondent shall file a full and complete answer to the motion within 45 days of the entry of this Order; and it is further

ORDERED that Respondent shall raise by way of its answer any appropriate defenses that it wishes to have the Court consider, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; and it is further

ORDERED that the answer shall be accompanied by certified copies of all notices, opinions, documents, transcripts or recordings of any proceedings, including all documentation

that may be material to the questions raised in the motion, however, in lieu of providing certified copies, the Government may cite to the criminal docket by referencing the ECF docket entry number and the page; and it is further

ORDERED that Petitioner may file and serve a reply in support of the motion within 30 days after the answer is filed; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Petitioner by regular mail.

A handwritten signature in black ink, appearing to read "S. Wigenton", is positioned above a horizontal line.

Hon. Susan D. Wigenton
United States District Judge